

**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
530 SOUTH KING STREET, ROOM 202  
HONOLULU, HAWAII 96813-3065  
TELEPHONE: (808) 768-5010 • FAX: (808) 768-5011

**HEIDI TSUNEYOSHI**  
COUNCILMEMBER  
HONOLULU CITY COUNCIL  
DISTRICT II  
TELEPHONE: (808) 768-5002  
FAX: (808) 768-1222  
EMAIL: [htsune Yoshi@honolulu.gov](mailto:htsune Yoshi@honolulu.gov)

20SEP17 PM 4:01 CITY CLERK

**MEMORANDUM**

**Date:** September 17, 2020

**To:** Council Chair Ikaika Anderson  
Councilmember Ann Kobayashi  
Executive Director Jan Yamane

**From:** Councilmember Heidi Tsuneyoshi

*Heidi Tsuneyoshi*

**RE:** Ethics Complaints Regarding Chair Anderson's Resignation and Current Employment and Actions Taken to Fill the Vacancy for Council District III

This memorandum and attached narrative reports serves as my official ethics complaints filed with the Ethics Commission and copied to Council Chair Anderson, Vice-Chair Kobayashi, and Director Yamane. Two ethics complaints will be attached to this memo that will detail the following issues of concern that I am requesting investigation and action for.

The first is in regard to Council Chair Anderson's recent announcement of his resignation from the Honolulu City Council and subsequent information discovered regarding his current employment with Local Union 630, Plasterers & Cement Masons. The second is in regard to Chair Anderson and Vice-Chair Kobayashi's actions following his announcement of resignation. These incidents have caused great concern and confusion from residents, especially those who reside in Chair Anderson's district.

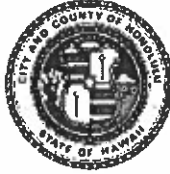
Based on these concerns and inherent conflicts of interests and violations of the Charter, I am requesting that an investigation be initiated into actions leading up to Chair Anderson's current employment and potential conflicts. With regard to the second issue, I am requesting that Chair Anderson cancel the Special City Council meeting currently scheduled for September 23, 2020 to fill the District III vacancy and allow the remaining Councilmembers to present their nominees to fill the District III vacancy as is prescribed by Charter. As has been the case in past filling of vacancies, the Council as a whole can then have open discussion and gain information for each nominee. Additionally, the general public will have the opportunity to weigh in and share their thoughts on whom they would choose to provide them with representation during these very critical times.

As a member of the Honolulu City Council who takes very seriously our ethical obligations to the people of the City and County of Honolulu, I believe these matters require the attention of the Ethics Commission for timely investigation and action. I would also like to have faith in Council leadership that they will do and act on behalf of the people in every situation. I strongly believe that these types of actions greatly contribute to public mistrust in government. We have a chance to change that. I call on my fellow Councilmembers and the People of the City and County of Honolulu to stand up and stand firm in our request for accountability and transparency.

**ETHICS COMMISSION  
CITY AND COUNTY OF HONOLULU**

925 DILLINGHAM BOULEVARD, SUITE 190 • HONOLULU, HAWAII 96817  
PHONE: (808) 768-9242 • FAX: (808) 768-7768 • EMAIL: [ethics@honolulu.gov](mailto:ethics@honolulu.gov) • INTERNET: [www.honolulu.gov/ethics](http://www.honolulu.gov/ethics)

KIRK CALDWELL  
MAYOR



JAN K. YAMANE  
EXECUTIVE DIRECTOR  
AND LEGAL COUNSEL

**Submit an Ethics Concern**

The Ethics Commission enforces the Revised Charter of Honolulu, Article XI, *Standards of Conduct* over City officers and employees. If you know of activities that raise ethics concerns, submit this form. Please provide your name, email address, and phone number(s) so we can contact you. File a separate form for each subject of concern. Submit this form to [ethics@honolulu.gov](mailto:ethics@honolulu.gov) with CONFIDENTIAL in the subject line or to 925 Dillingham Blvd., Ste. 190, Honolulu, HI 96817 in an envelope marked CONFIDENTIAL. Additional information can be found on our website: [www.honolulu.gov/ethics](http://www.honolulu.gov/ethics).

Your Information

First Name: Hadi Last Name: Tsunayoshi  
City Email Address: htsunayoshi@honolulu.gov Personal Email Address: \_\_\_\_\_  
Daytime Phone: (808) 768-5002 Night Phone: \_\_\_\_\_  
Cell Phone: \_\_\_\_\_  
Address: 530 South King Street, Room 202  
City: Honolulu State: HI Zip Code: 96813

If City Employee:

Position: Councilmember Department: Honolulu City Council  
Supervisor: Chair Anderson Contact Information: (808) 768-5003

Subject Information

First Name: Ikaika Last Name: Anderson  
Email Address: iananderson@honolulu.gov Daytime Phone: (808) 768-5003

If City Employee

Position: Chair and Presiding Officer Department: Honolulu City Council  
Supervisor: N/A Contact Information: \_\_\_\_\_

If City Board or Commission Member

Board/Commission \_\_\_\_\_ Department: \_\_\_\_\_

1. I allege that on (date) \_\_\_\_\_ at (place) \_\_\_\_\_  
the following happened:

Describe: Facts and details fully described in narrative.  
With regard to Chair Anderson's resignation,  
employment and conflicts that arise.

2. I believe what is described above violates the City's standards of conduct because:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Used city resources for political activity  | <input type="checkbox"/> Gave preferential treatment                                 | <input type="checkbox"/> Disclosed confidential information                               |
| <input type="checkbox"/> Received outside compensation for City work | <input type="checkbox"/> City personnel received prohibited gift                     | <input type="checkbox"/> Financial conflict of interest                                   |
| <input type="checkbox"/> Represented private interest against City   | <input type="checkbox"/> Employee contracted with City on behalf of private interest | <input type="checkbox"/> Personal conflict of interest                                    |
| <input type="checkbox"/> Failed to file financial disclosure form    | <input type="checkbox"/> Appeared before City agency on behalf of private interest   | <input type="checkbox"/> Failure to disclose conflict/file written disclosure of conflict |

Describe: Sections of Article XI Standards of Conduct  
described in narrative

3. I believe corrective action should be taken by (name/position) \_\_\_\_\_

Ethics Commission to resolve my concerns in this matter because:

Describe: ~~These types of actions are~~  
fully described in narrative.

4. I believe the following persons have information on this matter:

<u>OK to contact as a Witness?</u>	<u>Name</u>	<u>Position/City Dept.</u>	<u>Contact Info. (ph#, email)</u>	<u>Information likely to provide</u>
<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____	_____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____	_____	_____

5. I can provide the following to support my allegations:

☐ Documents (attach)

☐ Photographs (attach)

☒ Other (describe)

Information disclosed and  
attached information in narrative.

6. I wish to remain anonymous to the subject of the concern because (explain why):

7. I have conveyed my concerns on this matter to (supervisors, other city or state agencies, union representatives, co-workers, etc.):

Name

Title

Day Phone

Night Phone

Email Address

Jan Yamana Executive Director

8. Do you have legal representation for your ethics issue? If yes, provide:

Attorney Name

Law Firm

Day Phone

Email Address

9. All the statements and information in this form are true and factual to the best of my knowledge. I understand that the Ethics Commission has limited jurisdiction over specific violations of the Revised Charter of Honolulu Article XI and Revised Ordinances of Honolulu, Chapter 3, Articles 6, 8, and 13. The Ethics Commission cannot address general complaints of unethical behavior.

Signature

Hindi Tsunagawa

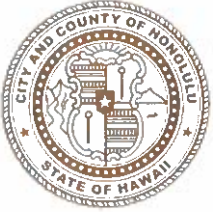
9/17/20

(Date)

If you are a city employee and believe you have been discharged, threatened, or otherwise discriminated against because you filed a good faith complaint or participated as a witness in an investigation, report such conduct to your immediate supervisor, a higher level supervisor, department head, the department's designated personnel officer, the City's Equal Opportunity Officer, or the Director of Human Resources, and consult with a private attorney. (Department of Human Resources Circular No. 2-17; *Whistleblowers' Protection Act*, Ch. 378, Part V, Hawaii Revised Statutes)

FOR ETHICS COMMISSION USE ONLY

Received by: \_\_\_\_\_ Date: \_\_\_\_\_



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## **MEMORANDUM**

**Date:** September 17, 2020

**To:** Council Chair Ikaika Anderson  
Councilmember Ann Kobayashi  
Executive Director Jan Yamane

**From:** Councilmember Heidi Tsuneyoshi

A handwritten signature in black ink, reading "Heidi Tsuneyoshi", is written over the "From:" line.

**RE:** Narrative for Ethics Complaint Regarding Chair Anderson's Resignation and Employment

In the case of Chair Anderson's resignation and subsequent information disclosed, the Council and the public has been made aware that Chair Anderson is on the payroll of Local Union 630, Plasterers & Cement Masons. It should be noted that the information of his employment was not freely provided and not mentioned when specifically asked for future plans for employment. That the place of employment is Local 630, a union which provides work for and is closely attached to the controversial rail project is concerning. Representatives of Local 630 and affiliated labor unions have appeared before the Council in the last few months for critical matters relating to the project including financing for the construction of the project which Local Union 630 stands to continue to profit greatly from. Following is a list of critical legislation that was passed out by the Council in the past few months. Chair Anderson took a very active role and voted in support of each of the following items which provided funding for the construction of the project. Legislation on Community Workforce Agreements (CWA) was also strongly supported by Chair Anderson and Local Union 630 and met with strong resistance from private contractors who cited concerns for creating an unfair playing field and removing the competitive bidding process from City contracts which greatly assists in maintaining transparency in the awarding of government contracts funded by taxpayer dollars.

- Reso 20-144 – HART CIP Bond Float
- Bill 40 (2020) - Community Workforce Agreements
- Bill 21 (2020) – Capital Improvement Budget – contains \$26 million Rail Bond float
- Bill 28 (2020) – HART Capital Improvement Budget

In June, Chair Anderson and Vice-Chair Kobayashi decided to kill an approved and funded independent forensic audit for the rail project which was unanimously supported and funded by all nine members of the Council. Reasons cited included ongoing federal investigation. However, the investigation was already ongoing at the time of the vote for the forensic audit and funding for the audit.

Request is to investigate and subpoena if need be to determine actions leading up to Chair Anderson's employment with timelines and discussions on the votes he would be casting on pending City legislation detailed in this memo and actions that he would be taking on the forensic audit.

Violations cited for this Ethics Complaint are contained in Article XI Standards of Conduct:

- Section 11-102 Conflict of Interest, with specific attention to section (a) which states;  
(a) Solicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, favor, service, thing or promise, or in any other form, under circumstances in which it can reasonably be inferred that the gift is intended to influence the officer or employee in the performance of such person's official duties. Nothing herein shall preclude the solicitation or acceptance of lawful contributions for election campaigns.

Chair Anderson's promise of employment translates to financial gain which could influence his vote starting when discussions began for his employment.

- Section 11-103 Disclosure of Interest  
Any elected or appointed officer or employee who possesses or who acquires such interests as might reasonably tend to create a conflict with the public interest shall make full disclosure in writing to such person's appointing authority or to the council, in the case of a member of the council, and to the ethics commission, at any time such conflict becomes apparent. Such disclosure statements shall be made a matter of public record and be filed with the city clerk. Any member of the council who knows he or she has a personal or private interest, direct or indirect, in any proposal before the council, shall disclose such interest in writing to the council. Such disclosure shall be made a matter of public record prior to the taking of any vote on such proposal. (Reso. 83-357)

In this instance, although Chair Anderson states he never took a vote on any matters pertaining to his employment since September 1<sup>st</sup>, he could have and should have filed a disclosure of interest statement that would only be made a matter of public record prior to taking of any vote.

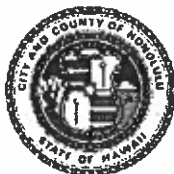
- Section 11-105 Future Employment  
No person who has served as an elected or appointed officer or employee of the city shall, within a period of one year after termination of such service or employment, appear for compensation before any agency of the city, or receive compensation for any services rendered in behalf of any private interests in relation to any case, proceeding or application with respect to which such person was directly concerned, or which was under such person's active consideration, or with respect to which knowledge or information was made available to such person during the period of said service or employment. (Reso. 83-357)

Thank you for your time and attention to this matter. It behooves the Ethics Commission and all elected officials to recognize their role as public servants and not to use public office as a stepping stone to more lucrative careers. On behalf of the taxpayers and future generations, I truly hope this issue is taken seriously and that this commonly held practice stops through enforcement of the Standards of Conduct. I look forward to your comment and response on investigation and actions that will be taken to address these concerns.

**ETHICS COMMISSION  
CITY AND COUNTY OF HONOLULU**

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KIRK CALDWELL  
MAYOR



JAN K. YAMANE  
EXECUTIVE DIRECTOR  
AND LEGAL COUNSEL

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Your Information

First Name: Hindi Last Name: Taniguchi  
City Email Address: hstniguchi@honolulu.gov Personal Email Address: \_\_\_\_\_  
Daytime Phone: (808) 768-5002 Night Phone: \_\_\_\_\_  
Cell Phone: \_\_\_\_\_  
Address: 530 South King Street, Room 202  
City: Honolulu State: HI Zip Code: 96813

If City Employee:

Position: Councilmember Department: Honolulu City Council  
Supervisor: Chair Anderson Contact Information: (808) 768-5003

Subject Information

First Name: Ikaila Anderson and Ann Kobayashi Last Name: \_\_\_\_\_  
Email Address: iananderson@honolulu.gov Daytime Phone: (808) 768-5003  
akobayashi@honolulu.gov (808) 768-5005  
If City Employee  
Position: Chair and Vice Chair Department: Honolulu City Council  
Supervisor: N/A Contact Information: \_\_\_\_\_

If City Board or Commission Member

Board/Commission \_\_\_\_\_ Department: \_\_\_\_\_

1. I allege that on (date) \_\_\_\_\_ at (place) \_\_\_\_\_  
the following happened:

Describe: Dates and details fully described  
in narrative with regard to actions  
taken immediately following Chair Anderson's  
announcement of resignation to fill his vacancy.

2. I believe what is described above violates the City's standards of conduct because:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Used city resources for political activity  | <input type="checkbox"/> Gave preferential treatment                                 | <input type="checkbox"/> Disclosed confidential information                               |
| <input type="checkbox"/> Received outside compensation for City work | <input type="checkbox"/> City personnel received prohibited gift                     | <input type="checkbox"/> Financial conflict of interest                                   |
| <input type="checkbox"/> Represented private interest against City   | <input type="checkbox"/> Employee contracted with City on behalf of private interest | <input type="checkbox"/> Personal conflict of interest                                    |
| <input type="checkbox"/> Failed to file financial disclosure form    | <input type="checkbox"/> Appeared before City agency on behalf of private interest   | <input type="checkbox"/> Failure to disclose conflict/file written disclosure of conflict |

Describe: Charter Amendment Violation

3. I believe corrective action should be taken by (name/position) \_\_\_\_\_

Chair Anderson & Vice Chair Kobayashi  
\_\_\_\_\_ to resolve my concerns in this matter because:

Describe: \_\_\_\_\_

4. I believe the following persons have information on this matter:

<u>OK to contact as a Witness?</u>	<u>Name</u>	<u>Position/City Dept.</u>	<u>Contact Info. (ph#, email)</u>	<u>Information likely to provide</u>
--	-------------	----------------------------	---------------------------------------	--

☐ Yes ☐ No \_\_\_\_\_

☐ Yes ☐ No \_\_\_\_\_

☐ Yes ☐ No \_\_\_\_\_



5. I can provide the following to support my allegations:

☐ Documents (attach)

☐ Photographs (attach)

☒ Other (describe) attached narrative

6. I wish to remain anonymous to the subject of the concern because (explain why):

7. I have conveyed my concerns on this matter to (supervisors, other city or state agencies, union representatives, co-workers, etc.):

<u>Name</u>	<u>Title</u>	<u>Day Phone</u>	<u>Night Phone</u>	<u>Email Address</u>
Jan Yamane				
Chair, Anderson				

8. Do you have legal representation for your ethics issue? If yes, provide:

<u>Attorney Name</u>	<u>Law Firm</u>	<u>Day Phone</u>	<u>Email Address</u>

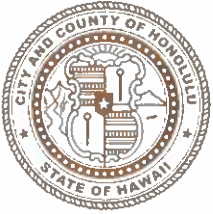
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Signature Wich Tamiyoshi 09/17/20  
(Date)

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FOR ETHICS COMMISSION USE ONLY

Received by: \_\_\_\_\_ Date: \_\_\_\_\_



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COUNCILMEMBER  
HONOLULU CITY COUNCIL  
DISTRICT II  
TELEPHONE: (808) 768-5002  
FAX: (808) 768-1222  
EMAIL: [htsuneeyoshi@honolulu.gov](mailto:htsuneeyoshi@honolulu.gov)

## **MEMORANDUM**

**Date:** September 17, 2020

**To:** Council Chair Ikaika Anderson  
Councilmember Ann Kobayashi  
Executive Director Jan Yamane

**From:** Councilmember Heidi Tsuneyoshi *Heidi Tsuneyoshi*

**RE:** Narrative for Ethics Complaint Regarding Filling of the Vacancy for Council District III

This complaint focuses on the actions immediately following Council Chair Anderson's announcement of his resignation at the conclusion of the Special City Council meeting held on September 9, 2020. The meeting gavelled out at 1:52 PM. The agenda for the Special City Council meeting scheduled for September 23<sup>rd</sup> which included resolutions introduced by Vice-Chair Kobayashi to fill the vacancy and reorganize Council leadership was posted by Chair Anderson at 4:45 PM. This gave Councilmembers no time to take in the information much less to provide input on either items for action.

Per Charter, the remaining members shall elect a successor when a seat is vacated with less than a year left on the term. As has been done recently when there was a vacancy for the District 4, Councilmembers proposed nominees via resolution. Those resolution were taken up by the membership at public hearings which also offered the general public and affected constituents the opportunity to provide public comment on whom they felt would best represent them.

In this case, not only was the process circumvented but when an opportunity arose to propose amendments to Resolution 20-236 to fill the vacancy, Councilmembers were once again blocked from submitting amendments. Vice Chair Kobayashi drafted an amendment on September 14<sup>th</sup> with an alternate name to fill the vacancy when the nominee who was first recommended shared that he would not be able to fill the vacancy. Chair Anderson requested and was in support of the alternate, Mr. Alan Texeira and posted that on the attached Council Addendum.

On behalf of the residents of Council District III, I drafted an amendment that included Mr. Kalani Kalima as a nominee to be considered for the vacancy on September 11<sup>th</sup>. I informed both Chair Anderson and Vice Chair Kobayashi of my amendment which was available days before the addendum to the agenda was posted. Chair Anderson informed me that he would take in under advisement but would not commit that it would be posted.

As mentioned, the Charter specifies that the remaining Councilmembers are to elect the successor. In light of that, Councilmembers should be allowed to have input on nominees that greatly assists in provided the affected residents of the District opportunities to weigh in and provide comment on record. While the preference of the vacating Councilmember should be considered, it should not be the only option put forth. I ask that the Chair Anderson cancel the Special City Council meeting scheduled for September 23<sup>rd</sup> and allow for the process to start over in a more transparent, open and collaborative way.

⚠ Novel Coronavirus - Latest Updates and Information (<https://www.oneoahu.org/>)

⚠ Proclamations, Orders, and Rules re:COVID-19 (</mayor/proclamations-orders-and-rules.html>)

⚠ Everybody Counts! 2020 Census Information  
([https://honolulu.gov/rep/site/may/may\\_docs/FINAL\\_2020\\_Census\\_Brochure.pdf](https://honolulu.gov/rep/site/may/may_docs/FINAL_2020_Census_Brochure.pdf))



CITY AND COUNTY OF  
**HONOLULU**

**([HTTP://WWW.HONOLULU.GOV/](http://www.honolulu.gov/))**



## Honolulu City Council Calendar



Calendar View

List View

### Special City Council

Wednesday, September 23, 2020, 12:00pm

#### Event Detail:

AGENDA

ADDENDUM

ADDENDUM 2

ORAL TESTIMONY

Oral testimony will be permitted on all items on the agenda, subject to the following restrictions:

1. Persons may submit oral testimony remotely through the Webex internet platform. To participate, persons should visit [www.webex.com](http://www.webex.com), click "Join," enter meeting number 1463001032, and complete the registration process. Registrants will receive an email that contains links and information on joining the meeting by either phone or video conference. Webex testifiers are strongly encouraged to register at least 24 hours before the start of the meeting. Remote testimony will be taken at the start of the agenda and then closed.
2. Each speaker may not have anyone else read their statement and is limited to a three-minute presentation.

#### WRITTEN TESTIMONY

Written testimony may be faxed to 768-3826 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting. If submitted, written testimonies, including the testifier's address, email address and phone number, will be available to the public on both the City's Council's pilot website: [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) as well as the City's legacy DocuShare Website. Written testimony will not be accepted in person at the meeting.

Posted: 09/09/2020 16:45



# **CITY COUNCIL**

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

IKAIKA ANDERSON  
CHAIR & PRESIDING OFFICER  
ANN H. KOBAYASHI  
VICE CHAIR  
CAROL FUKUNAGA  
FLOOR LEADER  
BRANDON J. C. ELEFANTE  
JOEY MANAHAN  
RON MENOR  
KYMBERLY MARCOS PINE  
HEIDI TSUNEYOSHI  
TOMMY WATERS

## **ORDER OF BUSINESS**

SPECIAL MEETING  
CITY COUNCIL CHAMBER  
37TH SESSION

WEDNESDAY, SEPTEMBER 23, 2020  
12 NOON OR IMMEDIATELY FOLLOWING THE SPECIAL MEETING CALLED  
FOR 10 A.M., WHICHEVER IS LATER

### **PUBLIC PARTICIPATION AND TESTIMONY**

Pursuant to the Twelfth Proclamation issued by Governor David Ige on August 20, 2020, relating to the COVID-19 pandemic, in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting:

### **VIEWING THE MEETING AND RESTRICTIONS ON ENTRY**

**Members of the public will not be allowed into the meeting room, but may view the meeting on a live broadcast.** The meeting will be viewable: (1) by internet live streaming through [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) and <http://olelo.granicus.com/MediaPlayer.php?publishid=92>; and (2) by televised live broadcast on Olelo TV Channel 54.

After the meeting, the meeting will be viewable on demand at <http://www.honolulucitycouncil.tv/>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

Some Councilmembers may be participating in the meeting by interactive conference technology from remote locations.

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## ORDER OF BUSINESS

Wednesday, September 23, 2020

receive an email that contains links and information on joining the meeting by either phone or video conference. Webex testifiers are strongly encouraged to register at least 24 hours before the start of the meeting. Remote testimony will be taken at the start of the agenda and then closed.

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\* \* \* \* \*

### **MATERIALS AVAILABLE FOR INSPECTION**

Meeting materials ("*board packet*" under HRS Section 92-7.5) are accessible at [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) by clicking on the link for each item on the online agenda for the meeting.

Accommodations are available upon request to persons with disabilities. Please call 768-3814 or send an email to [jyamane1@honolulu.gov](mailto:jyamane1@honolulu.gov) at least three working days prior to the meeting.

**ORDER OF BUSINESS**  
**Wednesday, September 23, 2020**

**CALL TO ORDER**

Roll Call

**ORAL TESTIMONY REMOTELY VIA VIDEO CONFERENCE OR PHONE**

ORDER OF BUSINESS  
Wednesday, September 23, 2020

**ORDER OF THE DAY**

**NEW BUSINESS**

Resolution 20-236

Filling a vacancy in the Office of Councilmember for Council District III.

FOR ACTION

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Resolution 20-237

Relating to the Officers of the Council of the City and County of Honolulu.

FOR ACTION

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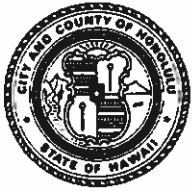
## **ORDER OF BUSINESS**

Wednesday, September 23, 2020

### **COMMITTEE OF THE WHOLE/EXECUTIVE SESSION**

If the need arises with respect to any item on this agenda, then pursuant to Council Rule 12.A and Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), the Council may resolve itself into a Committee of the Whole to consult with its attorneys in executive session on questions and issues pertaining to the Council's powers, duties, privileges, immunities and/or liabilities relating to that item.

### **ADJOURNMENT**



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

IKAIKA ANDERSON  
CHAIR & PRESIDING OFFICER  
ANN H. KOBAYASHI  
VICE CHAIR  
CAROL FUKUNAGA  
FLOOR LEADER  
BRANDON J. C. ELEFANTE  
JOEY MANAHAN  
RON MENOR  
KYMBERLY MARCOS PINE  
HEIDI TSUNEYOSHI  
TOMMY WATERS

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**ORDER OF BUSINESS**

**ADDENDUM**

**SPECIAL MEETING**

**CITY COUNCIL CHAMBER**

**37TH SESSION**

**WEDNESDAY, SEPTEMBER 23, 2020**

**12 NOON OR IMMEDIATELY FOLLOWING THE SPECIAL MEETING CALLED  
FOR 10 A.M., WHICHEVER IS LATER**

**PUBLIC PARTICIPATION AND TESTIMONY**

Pursuant to the Twelfth Proclamation issued by Governor David Ige on August 20, 2020, relating to the COVID-19 pandemic, in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting:

**VIEWING THE MEETING AND RESTRICTIONS ON ENTRY**

**Members of the public will not be allowed into the meeting room, but may view the meeting on a live broadcast.** The meeting will be viewable: (1) by internet live streaming through [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) and [http://olelo.granicus.com/MediaPlayer.php?publish\\_id=92](http://olelo.granicus.com/MediaPlayer.php?publish_id=92); and (2) by televised live broadcast on Olelo TV Channel 54.

After the meeting, the meeting will be viewable on demand at <http://www.honolulucitycouncil.tv/>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

Some Councilmembers may be participating in the meeting by interactive conference technology from remote locations.

**ORAL TESTIMONY**

Oral testimony will be permitted on all items on the agenda, subject to the following restrictions:

1. Persons may submit oral testimony remotely through the Webex internet platform. To participate, persons should visit [www.webex.com](http://www.webex.com), click "Join," enter meeting

ORDER OF BUSINESS ADDENDUM  
Wednesday, September 23, 2020

number 1463001032, and complete the registration process. Registrants will receive an email that contains links and information on joining the meeting by either phone or video conference. Webex testifiers are strongly encouraged to register at least 24 hours before the start of the meeting. Remote testimony will be taken at the start of the agenda and then closed.

2. Each speaker may not have anyone else read their statement and is limited to a three-minute presentation.

**WRITTEN TESTIMONY**

Written testimony may be faxed to 768-3826 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting. If submitted, written testimonies, including the testifier's address, email address and phone number, will be available to the public on both the City's Council's pilot website: [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) as well as the City's legacy DocuShare Website. Written testimony will not be accepted in person at the meeting.

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**MATERIALS AVAILABLE FOR INSPECTION**

Meeting materials ("*board packet*" under HRS Section 92-7.5) are accessible at [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) by clicking on the link for each item on the online agenda for the meeting.

Accommodations are available upon request to persons with disabilities. Please call 768-3814 or send an email to [jyamane1@honolulu.gov](mailto:jyamane1@honolulu.gov) at least three working days prior to the meeting.

ORDER OF BUSINESS ADDENDUM  
Wednesday, September 23, 2020

**ADDENDUM ITEM IS A PROPOSED FD1 AMENDMENT TO RESOLUTION 20-236.**

**NEW BUSINESS**

Resolution 20-236

Filling a vacancy in the Office of Councilmember for Council District III.

FOR ACTION

Resolution 20-236, Proposed FD1 (OCS2020-0915/9/14/2020 3:10 PM)  
(Submitted by Councilmember Kobayashi)

**ADDENDUM ITEM CHANGES THE REFERENCE TO THE PROPOSED HANDCARRIED FD1 AMENDMENT POSTED ON SEPTEMBER 11, 2020, TO A PROPOSED FD1 AMENDMENT TO RESOLUTION 20-237 AND CHANGES THE COUNCILMEMBER SUBMITTING THE AMENDMENT TO COUNCILMEMBER KOBAYASHI.**

Resolution 20-237

Relating to the Officers of the Council of the City and County of Honolulu.

FOR ACTION

Resolution 20-237, Proposed FD1 (OCS2020-0898/9/10/2020 3:52 PM)  
(Submitted by Councilmember Kobayashi)

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
S T A T U S

RESOLUTION 20-236

Introduced: 09/09/20 By: ANN KOBAYASHI Committee: COUNCIL

Title: RESOLUTION FILLING A VACANCY IN THE OFFICE OF COUNCILMEMBER FOR COUNCIL DISTRICT III.

Voting Legend: \* = Aye w/Reservations

APPROVED VERSIONS:	COMMITTEE REPORTS:	AGENDAS:	MINUTES:
<u>RES20-236</u>	CR-	<u>09/23/20 - COUNCIL</u> <u>09/23/20 -- COUNCIL ADDENDUM</u>	
		<u>Speaker Registration/Testimony</u>	

**Proposed Drafts:**

Councilmember Tsuneyoshi Proposed FD1 OCS2020-0910/9/11/2020 3:21 PM

Councilmember Kobayashi Proposed FD1 OCS2020-0915/9/14/2020 3:10 PM

**Related Communications:**

No.	From
<u>M-598</u>	Testimony for 09/23/20 Council meeting.



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 20-236

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**RESOLUTION**

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**FILLING A VACANCY IN THE OFFICE OF COUNCILMEMBER FOR COUNCIL DISTRICT III.**

WHEREAS, Councilmember Ikaika Anderson was elected in November of 2016 to serve as Councilmember for Council District III for a four-year term from January 2, 2017 to January 2, 2021; and

WHEREAS, by Council Communication CC-256, dated September 9, 2020, Councilmember Anderson has resigned from office, effective as of the adjournment of the Special Council meeting to be held at 10:00 a.m. on September 23, 2020; and

WHEREAS, as a result of Councilmember Anderson's resignation, a vacancy exists in the office of Councilmember for Council District III, the unexpired term of which is less than one year; and

WHEREAS, Section 3-105 of the Revised Charter of the City and County of Honolulu 1973 (2017 Edition) ("Charter"), states in part that:

"A vacancy in the office of any councilmember shall be filled in the following manner:

(a) If the unexpired term is less than one year, the remaining members of the council shall elect a successor with requisite qualifications to fill the vacancy for the unexpired term. Vacancies shall be filled only at a meeting of the council after reasonable notice of intent to fill the vacancy has been given to all remaining members of the council by the presiding officer. Should the council fail to fill any vacancy within thirty days after its occurrence, the mayor shall appoint a successor to fill the vacancy for the unexpired term."; and

WHEREAS, Charter Section 3-104 provides that in order to be eligible for election or appointment to the City Council, "a person must be a duly qualified elector of the council district from which the person seeks to be elected or appointed"; and

WHEREAS, the remaining members of the City Council wish to fill the vacancy created by the resignation of Councilmember Anderson by electing a qualified person to serve for the remainder of the unexpired term; and



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 20-236

## RESOLUTION

WHEREAS, Andrew A. Malahoff is a longtime resident of Council District III, has served as a staff member in the Council District III office since 2005, and has served on Councilmember Anderson's staff since the Councilmember first took office in 2009, serving most recently in the capacity of Chief of Staff; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it finds that Andrew A. Malahoff is a duly qualified elector of Council District III and is hereby elected to fill the Council vacancy for Council District III, effective upon the adoption of this resolution; and

BE IT FINALLY RESOLVED that Andrew A. Malahoff shall serve for the remainder of Councilmember Anderson's term, which expires on January 2, 2021.

INTRODUCED BY:

*Ann Koyashiki*

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DATE OF INTRODUCTION:

**SEP 9 2020**

Honolulu, Hawaii

Councilmembers

**SUMMARY OF PROPOSED FLOOR DRAFT:**

**Resolution 20-236  
RESOLUTION FILLING A VACANCY IN THE OFFICE OF COUNCILMEMBER FOR  
COUNCIL DISTRICT III**

**PROPOSED FD1 makes the following amendments:**

- A. Names Kalani Kalima as Councilmember for Council District III and adds several "Resolved" clauses relating to his qualifications to serve in this role.
- B. Makes miscellaneous technical and non-substantive amendments.





## RESOLUTION

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### FILLING A VACANCY IN THE OFFICE OF COUNCILMEMBER FOR COUNCIL DISTRICT III.

WHEREAS, Councilmember Ikaika Anderson was elected in November of 2016 to serve as Councilmember for Council District III for a four-year term from January 2, 2017 to January 2, 2021; and

WHEREAS, by Council Communication CC-256, dated September 9, 2020, Councilmember Anderson has resigned from office, effective as of the adjournment of the Special Council meeting to be held at 10:00 a.m. on September 23, 2020; and

WHEREAS, as a result of Councilmember Anderson's resignation, a vacancy exists in the office of Councilmember for Council District III, the unexpired term of which is less than one year; and

WHEREAS, Section 3-105 of the Revised Charter of the City and County of Honolulu 1973 (2017 Edition) ("Charter"), states in part that:

"A vacancy in the office of any councilmember shall be filled in the following manner:

(a) If the unexpired term is less than one year, the remaining members of the council shall elect a successor with requisite qualifications to fill the vacancy for the unexpired term. Vacancies shall be filled only at a meeting of the council after reasonable notice of intent to fill the vacancy has been given to all remaining members of the council by the presiding officer. Should the council fail to fill any vacancy within thirty days after its occurrence, the mayor shall appoint a successor to fill the vacancy for the unexpired term."; and

WHEREAS, Charter Section 3-104 provides that in order to be eligible for election or appointment to the City Council, "a person must be a duly qualified elector of the council district from which the person seeks to be elected or appointed"; and

WHEREAS, the remaining members of the City Council wish to fill the vacancy created by the resignation of Councilmember Anderson by electing a qualified person to serve for the remainder of the unexpired term; and



# **CITY COUNCIL**

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 20-236, FD1

## **RESOLUTION**

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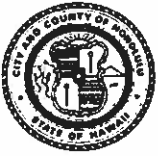
WHEREAS, Kalani Kalima is a lifelong resident of Council District III, being a native son of Waimanalo, where he was born and raised; and

WHEREAS, Kalani Kalima was taught the important life lesson of caring for others with aloha and respect from his late father, Haywood Kalima, who worked tirelessly and selflessly for his community; and

WHEREAS, Kalani Kalima has followed in his father's footsteps and has dedicated his life to the service of others, having spent countless hours supporting and fighting for his community, engaging his fellow residents, and reaching out to elected officials in an effort to address district concerns and find solutions to district issues; and

WHEREAS, Kalani Kalima's servant leadership would be a welcomed addition to the Honolulu City Council; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it finds that Kalani Kalima is a duly qualified elector of Council District III and is hereby elected to fill the Council vacancy for Council District III, effective upon the adoption of this resolution; and



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

No. 20-236, FD1

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**RESOLUTION**

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BE IT FINALLY RESOLVED that Kalani Kalima shall serve for the remainder of Councilmember Anderson's term, which expires on January 2, 2021.

INTRODUCED BY:

Ann Kobayashi

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DATE OF INTRODUCTION:

September 9, 2020  
Honolulu, Hawaii

Councilmembers